

am confident it would receive overwhelming bipartisan support.

Right now, as I speak, there is still hope that we can reach an accommodation on authorizing language that the Appropriations Committee is seeking before it provides the full amount of debt relief needed to make the HIPC program a reality.

But time is running out, Mr. President, and we are dangerously close to forfeiting our international leadership on this issue. That means forfeiting not just our leadership in international financial affairs, Mr. President. If we fail to provide full funding for our participation in the international debt relief effort, we will forfeit something even more valuable: our moral leadership.

#### IN REMEMBRANCE OF THE HONORABLE SID YATES

Mr. CAMPBELL. Mr. President, Sid Yates, former Congressman from Ohio and a long-time friend of Indian country passed away last week.

I am particularly saddened because in the last 2 years, we have lost Morris Thompson, the Alaska Native tribal leader and one of the instrumental leaders in Alaska politics, Dr. Helen Peterson one of the founders of the National Congress of American Indians (NCAI), and now our long-time friend Sid Yates.

Indian country is losing far too many friends and most unfortunate is that we seem to be losing more friends than we are gaining.

As a Congressman from the State of Ohio with no federally-recognized Indian Tribes Sid Yates had no political reason to become the champion for Indian causes that he was known for. His dedication was not part of constituent service and he stood to lose more than he gained from his advocacy. Nonetheless, Sid Yates' commitment and determination to do the right thing never wavered.

I am saddened to be making this statement because all who knew or came in contact with Sid Yates were awed by his generous heart and humbled by the patience he showed with his colleagues and with the public—even when they disagreed with him.

His patience and focus in the legislative realm were legendary. Sid Yates started what I believe an appropriate protocol in the House Subcommittee by affording every Tribal Leader wishing to come before the subcommittee the brief opportunity to describe the most pressing needs of his or her Tribe.

When I came to the House of Representatives in 1986, I became deeply involved in issues that affect my State of Colorado, natural resource issues and of course issues that affect American Indians. In pursuing and working on these matters, I worked with Sid Yates time and again and benefitted from that association both as a legislator and as a man.

Sid Yates also knew when generosity of spirit and patience were not the ap-

propriate response. In the mid 1980's a series of newspaper articles appeared in the Arizona Republic that revealed a breathtaking level of corruption and waste in the Federal Bureau of Indian Affairs. Millions of dollars were being siphoned off or wasted and were not getting to the Indian beneficiaries as Congress intended.

As Chairman of the House Subcommittee on Interior Appropriations, Sid Yates took bold steps to ensure that this would not happen again and launched the Tribal Self Governance Demonstration Project. I am proud to say that in August the President signed legislation that I sponsored in the Senate to make permanent Self Governance in Health Care.

The auditorium in the U.S. Department of Interior was appropriately named the "Sid Yates Auditorium" and his name will carry with it the kind of dedication and honesty that was his hallmark.

It is customary and protocol to add the prefix "The Honorable" when talking of elected leaders and if there was ever a man who fulfilled that moniker it was the Honorable Sid Yates.

#### TAXPAYER PROTECTION AND CONTRACTOR INTEGRITY ACT

Mr. HARKIN. Mr. President, yesterday I introduced the Taxpayer Protection and Contractor Integrity Act. This legislation, which was introduced concurrently by Rep. PETER DEFAZIO in the House, is intended to crack down on fraud and abuse in government contracts. It would say to federal government contractors that have been convicted or had civil judgement rendered against them at least three times for procurement fraud and related offenses: you do not deserve further taxpayer support; you are suspended from new contracts for three years. Three strikes and you're out.

A recent report by the General Accounting Office on procurement fraud by the 100 largest Department of Defense contractors during the years 1995-1999 found: 8 criminal cases in which contractors pled guilty and paid fines totaling \$66 million, and 95 civil cases, including 94 settlements and one judgment, in which awards totaled \$368 million. The offenses included overcharging, kickbacks, defective products, procurement fraud, misuse/diversion of government furnished materials, cost/labor mischarging, and others. A number of companies, including some of the largest DOD contractors, had several criminal convictions or civil judgments for similar offenses over a few years. This clearly demonstrates a pattern of misconduct.

But the Department of Defense continued to conduct business with contractors even after these companies had committed multiple frauds against the government. Not one of the top military contractors guilty of procurement fraud was barred from future contracts. According to a recent Associ-

ated Press analysis, there are 1,020 contractors government-wide that were sued or prosecuted for fraud in the past five years. Of these, 737 remain eligible for future contracts.

It is disgraceful that the Pentagon and other agencies seem to hear and see no evil in the criminal fraud committed by contractors. Now it's up to Congress to step in and start cracking down on big contractors who have been swindling the federal government out of billions of dollars. I am hopeful that the bill we're introducing today will force all contractors to play by the rules and stop ripping off American taxpayers.

Under current law, a contracting officer is required to make a determination regarding the integrity and responsibility of a potential contractor prior to awarding a new contract. In making this determination, prior convictions can be taken into account, but even with several convictions an individual or company may still be granted a contract award.

The bill I introduced would require contractors to disclose the number of convictions or civil judgments, the nature of the offense, and whether any fines, penalties, or damages were assessed. Any contractor who has three or more convictions or civil judgments for fraud and similar offenses related to government contracts would be prohibited from receiving future contracts. Existing contracts would not be impacted. The prohibition on future contracts would last three years. If, during that period, the contractor demonstrates a satisfactory record of ethics and integrity by avoiding additional criminal convictions, the contractor may become eligible for future federal contracts. The bill also allows a waiver by the President in the interest of national security or to prevent serious injury to the government. Note that the bill does not prevent debarment under current procedures for fewer than three violations or broader consideration of ethics under the proposed OMB regulations. But recognizing that some agencies will not use these discretionary procedures, the bill sets a firm limit.

The bill was crafted much like the Violent Crime Control and Law Enforcement Act of 1994, which made life in prison mandatory for criminals convicted of their third federal felony. That's why we sometimes call this the "Three strikes and you're out" bill. This bill, however, is much softer, as the suspension can be lifted after three years. We've made a commitment in this country to be tough on crime. That resolve should apply to federal contractors too. It is time to stop rewarding criminal contractors with American taxpayers' hard-earned dollars.

#### GAMBLING

Mr. BROWNBACK. Mr. President, I would like to make a few remarks today regarding the recent proposals put